

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 7TH DECEMBER 2006 / 16TH AGRAHAYANA 1928

RP.No. 822 of 2006()

AGAINST THE JUDGEMENT IN MA.135/2006 Dated 22/08/2006
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REVIEW PETITIONERS/RESPONDENTS:

1. AMMINI, W/O. THACHERI CHANDRAN,
CHERUVALOOR VILLAGE, DESOM, VADAKKUMURI VILLAGE,
KALLUR, MUKUNDAPURAM TALUK.
2. INDIRA, D/O.LATE THACHERI CHANDRAN
-DO- -DO-.
3. USHA, D/O. -DO- -DO- -DO-.
4. RADHAKRISHNAN, S/O. -DO- -DO- -DO-.
5. SURESH KUMAR, S/O. -DO- -DO- -DO-.
6. RAMADEVI, D/O. -DO- -DO- -DO-.
7. ANIL KUMAR, S/O. -DO- -DO- -DO-.
8. BINDU, D/O. -DO- -DO- -DO-.
9. SHEEBA, D/O. -DO- -DO- -DO-.
10. BABURAJ, S/O. -DO- -DO- -DO-.

BY ADV. SRI.T.N.MANOJ

RESPONDENTS: APPELLANT:

ASHOK KUMAR, S/O.EDATHADAN KUNJITTY,
ALoor DESOM, MUKUNDAPURAM TALUK.

BY ADV. SRI.DILIP J.AKKARA

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD
ON 07/12/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

KURIAN JOSEPH & K.T.SANKARAN,JJ.

R.P.No.822 of 2006
in Mat. Appeal No.135 of 2006

Dated this the 7th day of December, 2006

ORDER

Kurian Joseph,J.

While disposing of the Mat Appeal, in the judgment dated 22-8-2006 we held that no relief can be granted to the petitioners in the O.P in view of Sections 15 and 16 of the Hindu Succession Act, 1956. This review petition is filed by the respondents in the Mat Appeal stating that Sections 15 and 16 would have no application. It is also pointed out that by the judgment impugned, the respondents are put in a more disadvantageous situation and that even if the Mat Appeal is allowed they would not have suffered this much. In these facts and circumstances of the case we are of the view that the appeal requires to be considered afresh also on the contentions noted above.. The review petition is hence allowed. The judgment is recalled. Post before the appropriate court according to roster.

(KURIAN JOSEPH, JUDGE)

ahg.

(K.T.SANKARAN, JUDGE)